



**U.S. Department of Justice**

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March 27, 2024

Honorable Joel H. Slomsky  
Judge, United States District Court  
13614 United States Courthouse  
601 Market Street  
Philadelphia, PA 19106-1744

Re: United States v. \$5,230,918.26 in United States Currency etc., 21-CV-1755

Dear Judge Slomsky:

The United States provides this update to the Court on the above civil forfeiture case pursuant to this Court's request on March 12, 2024. As discussed below, while the corresponding criminal case of *United States of America v. Bill Omar Carrasquillo, et al.*, Criminal No. 21-CR-367, has completed with all three defendants sentenced, the criminal forfeiture process is not yet completed. Only once all assets subject to criminal forfeiture have completed the ancillary process, can the criminal judicial forfeiture process be fully resolved. The government therefore respectfully requests that the Court keep this matter open and in civil suspense until the Government has resolved any and all potential third-party claims to the assets subject to forfeiture, the Court has entered a final order of forfeiture in the criminal case, and title for the assets has been properly vested to the Government.

This matter arose out of a conspiracy by defendants Omar Carrasquillo, Jesse Gonzales, and Michael Barone to engage in a scheme to access copyrighted materials including cable programing, decrypt them without permission, and resell these materials to customers. The defendants were indicted on September 16, 2021, and the criminal case is docketed as 21-CR-367. The case is before the Honorable Harvey Bartle, III. To date, all three co-defendants have pled guilty, and as of March 7, 2023, all defendants have now been sentenced. Preliminary Orders of Forfeiture have been entered against all three defendants. The Government is now in the process of complying with the noticing requirements proscribed under 21 U.S.C. § 853(n)(1), and Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, made applicable pursuant to Fed. R. Crim. P. 32.2(b)(6)(c).

The United States filed the above civil forfeiture action on April 14, 2021, approximately four months before the criminal indictment was returned. The civil complaint seeks forfeiture of some of the same property that was the subject of the Preliminary Orders of Forfeiture in the *United States v. Carrasquillo, et al.* criminal case (ECF No. 21-CR-367, Dkt Nos. 132, 171, 179)<sup>1</sup>. The civil forfeiture action was stayed by order of this Court, on July 30, 2021 (ECF No. 21-CV-1755, Dkt. No. 12).

On September 26, 2023, upon motion from the United States, a Partial Final Order of Forfeiture (ECF No. 21-CR-367, Dkt No. 201) was signed by the Court. That order vested title to the government for all of the motor vehicles that were subject to the civil forfeiture complaint currently before this court. The government has not yet been able to complete the forfeiture process for the remaining assets subject to the civil forfeiture complaint to date. However, it anticipates being able to conclude that process soon.

Out of an abundance of caution, the United States seeks to keep the civil action here open until the defendants' interests, and that of all potential third parties, are finally forfeited and resolved pursuant to the criminal case. The government has no objection to the stay remaining in place for the civil matter.

Thank you for your accommodation in this matter.

Respectfully yours,

JACQUELINE C. ROMERO  
United States Attorney

/s/ David Weisberg  
DAVID WEISBERG  
Special Assistant United States  
Attorney

cc: Christopher P. Kristofco, Esq. (by ECF)  
Hope C. Lefebber, Esq. (by ECF)

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<sup>1</sup> All property subject to the Civil Forfeiture Complaint is included in the Preliminary Orders of Forfeiture, however, additional property was included as part of the criminal forfeiture process.